

Applicant : Tomoyuki Sakai  
Serial No. : 10/696,611  
Filed : October 29, 2003  
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Attorney's Docket No.: 10973-108001 / K43-  
160315M/MKO

#### REMARKS

Claims 1-8 were examined. Claim 1 has now been canceled, without prejudice. Claims 2-4, 6 and 7 have been amended. Accordingly, claims 2-8 remain in the case.

Claims 3 and 4 have been rewritten as independent claims and include the features of canceled claim 1. Claims 2, 6 and 7 have all been amended to depend from claim 4, instead of from claim 1.

#### **Claim Rejections – 35 U.S.C. § 103**

Claims 1-2 and 6-8 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Okuchi (U.S. Pat. No. 6,193,398) in view of Halasz (U.S. Pat. No. 5,890,084).

The rejection has been made moot by the amendments made to the claims herein. Claims 2-8 are allowable.

#### **Allowable Subject Matter**

The examiner is thanked for the indication that claims 3-5 were allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. As has been noted above, claims 3 and 4 have each been rewritten as independent claims. Claim

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5 was not rewritten, as it already depends from claim 4. Claims 2 and 6-8 all depend directly or indirectly from claim 4 and are all thus allowable for at least the same reasons that claim 4 is allowable. Therefore, all of the remaining claims, nos. 2-8, are allowable, and a Notice of Allowance should be mailed.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

No fees are understood to be due with this paper, but please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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